**Name: ……………………………**

**Year 11 English Practise Exam**

**Reading time: (10 minutes)**

**Writing time: (86 minutes)**

**Materials**

* Students are permitted to bring into the examination room: pens, pencils, highlighters, erasers, rulers and English and/or bilingual printed dictionary.
* Students are NOT permitted to bring into the examination room: blank sheets of paper and/or white out liquid/tape.
* Students are NOT permitted to bring mobile phones and/or any other unauthorised electronic devices into the room.
* **Materials supplied:** Lined paper

**Instructions:**

* Write your name and teacher’s initials on each response page and the front of this page.
* Complete the task.
* Submit this booklet and all response pages.

**Assessment Criteria**

**Criterion 1: Knowledge and control of the chosen content (30 marks)**

* Understanding of the ideas and points of view presented
* Analysis of ways written and visual language are used to present a point of view and to persuade readers
* Controlled and effective use of metalanguage to analyse how the text intends to persuade the reader.

**Criterion 2: Coherence and effectiveness of the structure and organisation of the writing (10 marks)**

* A coherent and effective structure in response to the task, and appropriate to the task.

**Criterion 3: Control of the conventions of the English language (10 marks)**

* Control of the mechanics of language. Effective and appropriate use of language. Clear expression and fluency.

**Instructions for task:** Read the text The death penalty is incompatible with human dignity , **and the cartoon** Permanent disposal by Signe Wilkinson and then complete the task below.

**TASK:**

* Respond in language analysis essay form.
* How does the writer use written and visual language to attempt to persuade the reader to his point of view?

**Background Information:** On May 27, 2014, a divided Supreme Court said that Florida’s use of IQ tests as final evidence to determine death penalty eligibility is unconstitutional. The case settles a capital punishment case that has been in the legal system since 1978. In a 5-4 decision, a majority of Justices said in Hall v. Florida that a Florida law prohibiting anyone with an IQ of 70 or higher from being classified as mentally disabled, and thus making them eligible for the death penalty, violates standard medical practices. In his opinion piece, The death penalty is incompatible with human dignity (Washington Post, 18/7/14), Charles J. Ogletree Jr. argues that the death penalty is cruel and undignified. The cartoon Permanent Disposal by Signe Wilkinson in the Philadelphia Daily News (05/05/2014) also agrees despite the challenges she sees surrounding an act to abolish it.



* Opinions

**The death penalty is incompatible with human dignity**

By July 18, 2014 *Charles J. Ogletree Jr. is a professor at Harvard Law School.*

I have wondered countless times over the past 30 years whether I would live to see the end of the death penalty in the United States. I now know that day will come, and I believe that the current Supreme Court will be its architect.

In its ruling in Hall v. Florida in May, the court — with Justice Anthony M. Kennedy at the helm — reminded us that the core value animating the Eighth Amendment’s cruel and unusual punishments clause is the preservation of human dignity against the affront of unnecessarily harsh punishment. Hall, which prohibited a rigid test in use in Florida for gauging whether a defendant is intellectually disabled, was the most recent in a series of opinions in which the court has juxtaposed retribution — the idea of vengeance for a wrongdoing, which serves as the chief justification for the death penalty — with a recognition of our hopelessly complex and fallible human nature.

What was important about Hall is the way Kennedy described the logic behind exempting intellectually disabled individuals from execution: “to impose the harshest of punishments on an intellectually disabled person violates his or her inherent dignity as a human being” because the “diminished capacity of the intellectually disabled lessens moral culpability and hence the retributive value of the punishment.” Though the court previously barred imposition of the death penalty upon intellectually disabled people, as well as juvenile offenders, Hall marked the first time that it went so far as to claim that imposing the death penalty upon offenders with these kinds of functional impairments serves “no legitimate penological purpose.”

This is why I see an end coming to the death penalty in this country. The overwhelming majority of those facing execution today have what the court termed in Hall to be diminished culpability. Severe functional deficits are the rule, not the exception, among the individuals who populate the nation’s death rows. A new study by Robert J. Smith, Sophie Cull and Zoë Robinson, published in Hastings Law Journal, of the social histories of 100 people executed during 2012 and 2013 showed that the vast majority of executed offenders suffered from one or more significant cognitive and behavioral deficits.

One-third of the offenders had intellectual disabilities, borderline intellectual function or traumatic brain injuries, a similarly debilitating impairment. For example, the Texas Department of Corrections determined that Elroy Chester had an IQ of 69. He attended special education classes throughout school and never functioned at a higher level than third grade. The state had previously enrolled Chester into its Mentally Retarded Offenders Program. Despite these findings, Texas executed him on June 12, 2013.

More than half of the 100 had a severe mental illness such as schizophrenia, post-traumatic stress disorder or psychosis. For example, for more than 40 years, Florida’s own psychiatrists found that John Ferguson suffered from severe mental illness. Ferguson had a fixed delusion that he was the “Prince of God” who could not be killed and would rise up after his execution and fight alongside Jesus to save the United States from a communist plot. When Ferguson was executed on Aug. 5, 2013, his last words were: “I just want everyone to know that I am the Prince of God and I will rise again.” A Florida court had called Mr. Ferguson’s delusions “normal Christian beliefs.”

Many other executed offenders endured unspeakable abuse as children. Consider Daniel Cook, whose mother drank alcohol and abused drugs while she was pregnant with him. His mother and grandparents molested him as a young child, and his father physically abused him by, for example, lighting a cigarette and using it to burn Daniel’s genitals. Eventually the state placed Daniel in foster care, but the abuse didn’t stop. A foster parent chained him nude to a bed and raped him while other adults watched from the next room through a one-way mirror. The prosecutor responsible for Cook’s death sentence stood behind him during the clemency process, telling authorities that he would have taken the death penalty off of the table had he known of his torturous childhood. Arizona refused to commute Cook’s sentence, however, and he died by lethal injection on Aug. 8, 2012.

As the execution of Elroy Chester, John Ferguson, Daniel Cook and many more like them illustrates, barring the death penalty for intellectually disabled and juvenile offenders did not solve the death penalty’s dignity problem. Rather, those cases gave us cause to look more closely at the people whom we execute. And when you look closely, what you find is that the practice of the death penalty and the commitment to human dignity are not compatible.

